

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEANNE M. CALAMORE,

No. C07-01772 MJJ

Plaintiff,

**ORDER REGARDING DISPUTED
ISSUES IN PROPOSED DISCOVERY
PLAN**

v.

JUNIPER NETWORKS INC.,

Defendant.

The Proposed Discovery Plan jointly submitted by the parties on April 13, 2007 (Docket No. 26) sets forth a dispute that has arisen as to whether the automatic discovery stay imposed by the Private Securities Litigation Reform Act ("PSLRA"), 15 U.S.C. § 78u-4(b)(3)(B), which was partially lifted pursuant to this Court's Order (Docket No. 23), should be further lifted to permit discovery by Plaintiff directed at the merits of her claims. Having considered the parties' positions, the Court finds that it is not appropriate to further lift the stay at this time to permit the additional discovery described in Section F to the Proposed Discovery Plan. The Court finds that allowing such discovery would contradict the legislative purposes of the statutory stay and does not fall within the "undue prejudice" exception set forth in the PSLRA.

IT IS SO ORDERED.

Dated: 4/19/2007



MARTIN J. JENKINS
UNITED STATES DISTRICT JUDGE